

“EXHIBIT 3”

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STATEMENT OF

POLICE OFFICER II KYLE GRIFFIN (2nd Intv.)

Senior Administrative Clerk V. Shaw, Serial No. N4488, reviewed the digital recording (TP97253, F004-22) and transcription of Officer Griffin's interview. The inaudible recordings that were clearly audible are listed below. All others remain inaudible.

<u>PAGE</u>	<u>LINE</u>	<u>INAUDIBLE/CORRECTIONS</u>
04	14	DELETE: in my
04	24	ADD: assigned partner
10	03	REPLACE: war WITH: was
10	06	REPLACE: was WITH: as
10	09	REPLACE: I WITH: And
12	04	REPLACE: neighbors WITH: neighboring
12	12	DELETE: go
15	11	REPLACE: while WITH: white
20	05	REPLACE: it WITH: he
21	02	REPLACE: that WITH: they
22	15	REPLACE: what WITH: when
24	04	REPLACE: also WITH: always
25	02	REPLACE: time WITH: times
27	17/18	REPLACE: we'd WITH: we didn't
27	23	REPLACE: wouldn't WITH: would
28	22/23	REPLACE: moral he's WITH: Morales
28	25	REPLACE: Noles WITH: Knolls (throughout)
29	06	REPLACE: mine us WITH: minus
37	21	REPLACE: my WITH: the
38	19	REPLACE: Right WITH: INAUDIBLE
42	14	ADD: DETECTIVE RHEAULT: At any point, did you
45	09	REPLACE: I WITH: that INAUDIBLE fired
48	04	UNINTELLIGIBLE: terms to
48	16	REPLACE: heading WITH: aiming
49	10	REPLACE: the WITH: so
51	07	ADD: OFFICER GRIFFIN: I know an officer
51	09	REPLACE: UNINTELLIGIBLE was fired WITH: when I was firing
56	04	REPLACE: possible WITH: possibly
56	13/16	REPLACE: DETECTIVE FULLER WITH: ATTORNEY WINSLOW
61	04	REPLACE: could WITH: to

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LOS ANGELES POLICE DEPARTMENT

In the Matter of:)
Officer-Involved Shooting) FID No. 004-22
Transcription of Taped Interview)
Of Kyle Griffin)
_____)

MURILLO V. COLA
CV22-03188 DMG (SKx)

TRANSCRIPTION OF TAPE RECORDED INTERVIEW

SUBJECT TO
OF OFFICER II KYLE GRIFFIN

PROTECTIVE ORDER

Transcribed by:
Andrew Dayton
CSR No. 13353

Job Number:

TP97253

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CITY 0001045

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Los Angeles Police Department

CD No. Griffin2

DETECTIVE RHEAULT: Today's date is February 2nd, 2022. The time now is 1655 hours. I'm Detective Anthony Rheault. First name, common spelling. Last name is spelled R-h-e-a-u-l-t. Serial Number 33961. Assigned to Force Investigation Division. And I'm here at Foothill Station to interview Police Officer II Kyle Griffin.

First name is spelled phonetically King, Young, Lincoln, Edward. Last name, George, Robert, Ida, Frank, Frank, Ida, Nora. Serial Number 42066, regarding an officer-involved shooting incident that occurred at 12935 Desmond Street spelled David, Edward, Sam, Mary, Ocean, Nora, David.

It occurred on February 1st, 2022. The interview is being digitally recorded.

Also present for the interview is?

DETECTIVE FULLER: Detective Justin Fuller, J-u-s-t-i-n, F-u-l-l-e-r. Serial Number 37232. Force Investigation Division.

ATTORNEY WINSLOW: David Winslow, W-i-n-s-l-o-w. Attorney for Officer Griffin.

DETECTIVE RHEAULT: Officer Griffin, has everyone in

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CITY 0001046

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1 Sergeant Alferez pulled out the primary unit, which
2 was in the backyard, and had them replaced with Morales
3 and Rodriguez so that the primary unit could -- could go
4 meet with the family and the CP kind of conduct the
5 investigation and figure out what we had going on inside
6 the house, you know, to get the specifics of why -- you
7 know, what we needed to do and -- and, you know, what
8 the suspect was -- if he had committed any crimes.

CV22-03188-DMG (SKX)

9 After they came out, I heard, "Hey, we have a good
10 criminal threats and the sus" -- you know, the suspect
11 is -- they're going to sign an IR for him for criminal
12 threats. So I knew we had -- we had a felonious crime
13 and that he had threatened the family. I also heard
14 while this is going on the -- one of the officers, a
15 female officer, I don't recall her name, would --
16 started to -- started to broadcast over the PA system
17 trying to communicate with the suspect.

SUBJECT TO PROTECTIVE ORDER

18 You know, trying different things, telling him,
19 "Hey, we just want you to come out. You know, we just
20 want this to end peacefully. We're trying -- we're here
21 to help you."

22 The suspect kept yelling out the window, "Hey."

23 You know, I couldn't hear exactly what he was saying
24 all the time but I could hear that he was yelling and it
25 was, you know, in an aggressive manner, and he was still

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1 upset about his family and why we were there. I could
2 also hear the -- Sergeant Alferez redeploying officers,
3 so he pulled out Morales and Rodriguez from the backyard
4 and had them go to the neighbors yards and then had all
5 the officers go -- he made sure that all the officers
6 were no longer in the backyard and they were on the back
7 side of fences so they were all -- they all had a fence
8 for coverage on the outside to completely establish
9 containment.

10 After a while, the female officer's, you know,
11 trying to speak through the PA, it became apparent that,
12 you know, he -- he wasn't listen to go her. He was
13 calling her -- you know, I heard him call her a bitch at
14 one point and, you know, let someone else speak, so
15 shortly after that, another officer, I believe it was my
16 partner, got on the PA and also tried to -- tried to
17 speak and say that, you know, say the same things, hey,
18 just come on out. We want you to come out with your
19 hands up. We don't want anything to happen to you.
20 Just come out, and that we weren't going anywhere.

21 Sergeant Alferez picked up the PA and he also said,
22 "Hey, look." He kind of gave him a warning. "Hey,
23 look. You know, you got to come out. If you don't come
24 out, you know, with your hands up, then lethal for" --
25 or, less lethal force is going to be used against him in

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1 that. It's either going to hurt him or it could
2 possibly kill him.

3 And then Officer Lopez continued to -- he grabbed
4 the -- he got the PA again and continued to try to just
5 talk to him. But it seemed like everything that he was
6 saying, nothing was getting the point across. He just
7 kept saying the same thing. He kept talking about his --
8 -- you know, just screaming out the window, kind of
9 rambling on.

10 He kept going from either the -- the window next to
11 the door, and then every once in a while, he would go to
12 the window on the one-side, the one on the -- the one-
13 side, but it was on the more eastern window, and he
14 would yell things out that window. At one point, I saw
15 him throw something out that window. I don't know
16 exactly what it was but I could tell that it was on fire
17 and sparking.

18 I said -- you know, so I kind of said, "Hey, he
19 threw something out the window."
20 I wasn't aware of exactly what it was. That caused
21 a little bit of smoke to come from that window. But
22 then he -- the suspect went back into the -- to the
23 house to -- and I think to the original room that he was
24 towards the window where the -- next to the door. While
25 he was inside, I could hear him beating on things. I

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1 don't know if he was punching walls or smacking things,
2 but I could hear him -- hear him hitting things on the
3 inside.

4 Throughout the whole thing, every time he would come
5 to the window, he would just do it briefly to yell and
6 then he would go back out of view. After a little bit
7 of Officer Lopez trying to communicate with him, they
8 switched it up, and then Officer Martinez took over and
9 he tried to -- to reason with him. You know, offering
10 him a smoke, saying, "We'll give you a smoke if you come
11 outside," but the same thing, it didn't seem to work.

12 I could hear at one point that -- that they said
13 that MEU was en route. And then I also heard them
14 broadcast that there was still at least one person
15 inside the garage at the location. So I heard them get
16 a team together, four officers, and broadcast that they
17 were going to go in to get those -- those -- that person
18 out.

19 So the -- I watched the team went around, you know,
20 to the two side and towards the back of the house and
21 made contact with the person in there who ended up being
22 a -- got a female and a male. So then they announced
23 that they were coming back out and they -- so they
24 pulled those people out and then at that point, we kind
25 of made the determination that nobody else was inside

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1 the house based off of the officers speaking with the
2 family, they broadcast that nobody else was inside the
3 house.

4 We continued the -- to try and communicate with him
5 through the PA. And the suspect just continued to yell
6 things. He kept saying that his, you know, his
7 stepfather was a rat. And he kept -- he kept saying
8 things about, you know, that the white people were going
9 to show up and that the Hispanics seemed to -- to kind
10 of like step up and -- and, you know, go against them
11 and stand up against the while people. So to me, that
12 seemed like he was --

13 You know, it kind of either on something or, you
14 know, un -- just aggressive and -- and at this moment,
15 very hateful. I communicated to an officer on the PA.
16 I said, "Hey, you know, maybe try speaking in Spanish
17 because it seems like, you know, he -- he doesn't like
18 white people, and if he thinks that there's someone that
19 speaks Spanish out here, we might be able to reason with
20 him a little more."

21 The suspect just continued to, again, to yell more.
22 He kept talking and speaking between English and Spanish
23 and talking about his stepdad running away and
24 abandoning the family. And, you know, we would try and
25 talk about the stepdad was no longer here or, you know,

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1 at one point, we even said, "Hey, we'll bring him back.
2 If you'll -- if you'll come out, then we can talk."

3 That didn't seem to work. He -- everything we kind
4 of tried to talk to him about, nothing seemed to -- he
5 never seemed to want to comply with it. He just stuck
6 to yelling about being upset about his family. We --
7 some -- you know, even at some point, we talked to --
8 when we would bring up his stepdad, he would say, "I

9 don't care. Kill that -- kill that guy," or, you know,
10 or, "Kill them," you know, talking about his family.

11 So pretty much the whole time, he was -- he was
12 super aggressive and he would either be yelling out the
13 window or wouldn't -- we would lose track of him inside
14 the house because I couldn't see through any of the
15 windows. I could see him when he would approach the
16 window. I could see the curtain move or I could see
17 just a glimpse of his face, but it was only -- it was
18 always only for a glimpse and then he would move back
19 away from the window.

20 But everything he was saying was aggressive and to
21 me, he never -- he never mentioned anything about, yeah,
22 I'll come out or, yeah, if you do this I'll come out no

23 matter what we said to him. Once -- you know, at one
24 point, we -- we were told to tell him that SWAT was on
25 the way, so to me, I took that as a notification for

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1 SWAT was made and that they were en route.

2 And after -- so then they -- we told him, "Hey."

3 Put on the -- go on the PA and tell him, "Hey, look.

4 SWAT's on their way."

5 They're going to go in. They're going to gas him

6 out. They're going to -- and force him to come out or

7 they're going to go in and get him. That didn't seem to

8 have any effect on him either. He just was still, you

9 know, talking about how his stepfather, how he abandoned

10 his family. And -- and actually, after he said that, he

11 said -- he said something along the lines of, you know,

12 after -- after we said, hey, look, you know, SWAT's

13 going to come in and they're going to get him, and he

14 said -- and he said something along the lines of, "At

15 least I'll have died protecting my family."

16 And to me, I kind of took that as, you know, he

17 already had made up his mind that if SWAT went in there,

18 you know, it was going to be -- he was going to do

19 something to -- he was not going to give up and that

20 somebody was going to have to use some type of force on

21 him to get him into custody.

22 Based off of him not giving us any indication that

23 he was going to come out, us not making any progress

24 with communicating with him, you know, it was my

25 impression that we were going to stand by for MEU and

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1 for SWAT to come out to take over the scene. I didn't -

2 - I didn't think that he was going to come out for us.

3 And so I kind of just believed that we were going to
4 be standing by until they got there to relieve. So
5 after, you know, after realizing that we maintained the
6 same thing, I would -- where I was, I could kind of hear
7 him sometimes. You know, I could hear some of the
8 things he was saying.

9 I would try to relay that to the officer on the --
10 whoever the officer was on the PA just to try and give
11 them like heads up, hey, look, he's upset about his
12 father running or -- or, you know, being a rat or
13 whatever it was to try and give them something to try to
14 talk to him about that might resonate with them.

15 But nothing seemed like it was working. You know,
16 every time we'd talk about his, you know, family or
17 whatever it was or, you know, he would just get mad and,
18 you know, call him a bitch or -- or say things like
19 that. He -- at one point, he said something about, you
20 know, the gringos are going to show up and they're going
21 to do the same thing to you guys that they're going to
22 do to me.

23 And I, you know, I think he was saying that the -- I
24 didn't really know what he meant but I think it was
25 along the lines of that other officers were going to

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1 come show up and -- and, you know, hurt us or him or,
2 you know? I didn't -- I didn't really take -- I didn't
3 gather exactly what he was saying but -- throughout the
4 whole thing, you know, I was kind of assessing to see if
5 anything was working.

6 I didn't -- I didn't believe anything was working.

7 And and but I knew that we had good containment at
8 the house and that, you know, pretty much all we could

9 do is to continue to hold, to keep him in there, because
10 I was concerned that if he -- if he exited the
11 residence, and the last time I had seen his family, they
12 were just down the street.

13 I was concerned if he exited the residence, he might
14 go run out and try and harm them, because he had already
15 threatened them. He was already talking about, you
16 know, how he was mad at them. And he was okay with, you
17 know, us killing him or whatever. You know, you're --
18 that's what he was implying.

19 So I -- you know, I kind of thought there was
20 nowhere else for us to go. We couldn't really redeploy
21 anywhere else because if we had backed up any further,
22 we would have given him too much access to the street,
23 which could have allowed him to either break through the
24 perimeter or get to the family or even cause, you know,
25 some type of crossfire issue.

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1 So I didn't think that there was anywhere else for
2 us to be able to move to. So we just -- pretty much all
3 we could do was to hold and continue to try and
4 communicate with him to see if he would come out, but it
5 never seemed to -- it never seemed to imply that he
6 wanted to come out.

7 I had my radio on me, but I -- for through a lot of
8 it, I had it kind of turned down so that -- because I
9 knew if Sergeant Alferez or whoever was communicating
10 was standing right behind me, there would be a lot of
11 feedback. And I also had it turned down a little bit so
12 that I could hear, try and hear what he was saying
13 through the window.

14 So I couldn't -- could not hear everything that was
15 going on through the radio, but I could hear it through
16 either Sergeant Alferez's radio or -- or some of the
17 officers behind me's radio. However, I would turn it up
18 if there was something going on. Like when I heard at
19 the point when -- when the officers in the rear of the
20 location, you know, saw -- saw him in the back, they --
21 they began to broadcast, "Hey, we have him in the back
22 of the house," that's when I turned my radio up.

23 I could hear them saying that, "Hey, he's pacing in
24 the back and he's in the back and he's armed with a
25 knife."

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1 They also broadcast, and I could hear that they --
2 that went -- walked back towards the house, opened the
3 door, and then now was armed with with two knives. And

4 then that's the point at which shortly after that, I
5 heard him, or I heard what I believed to be a less
6 lethal round on the two-side and then -- then
7 broadcasted that he's running towards the front of the
8 house.

9 DETECTIVE RHEAULT: Take your time.

10 OFFICER GRIFFIN: I know -- I know we didn't want to
11 -- we already covered it.

12 DETECTIVE RHEAULT: Well, yeah. And so is that --
13 now, you've talked about open the door armed with two
14 knives and you heard less lethal being fired on the side
15 of the house.

16 OFFICER GRIFFIN: Uh-huh.

17 DETECTIVE RHEAULT: Right? Is -- and that's --
18 that's immediately up to the point before you used
19 deadly force, which we covered yesterday?

20 OFFICER GRIFFIN: I believe so, yes.

21 DETECTIVE RHEAULT: Okay. So at this point, why
22 don't I do this? We'll break the interview up into
23 parts. Let me go back over what you covered up to this
24 point, and then I'll ask follow-up on -- regarding the
25 force you that talked about yesterday.

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1 OFFICER GRIFFIN: Okay.

2 DETECTIVE RHEAULT: Okay. Okay. And going back to
3 the very beginning.

4 OFFICER GRIFFIN: Okay.

5 DETECTIVE RHEAULT: I know you followed another unit
6 to the location. And that was 63? George-63?

7 OFFICER GRIFFIN: Correct.

8 DETECTIVE RHEAULT: Okay. And again, who were those
9 officers?

10 OFFICER GRIFFIN: Officer Morales and Rodriguez.

11 DETECTIVE RHEAULT: Morales and Rodriguez. Okay.
12 All right. Did you notify communications that you were
13 responding to the radio call?

14 OFFICER GRIFFIN: Not originally because generally,
15 what we're responding to a backup, we're not going to --
16 as long as there's -- we hear one unit en route, we're
17 not going to tie up the air until we get there or it's
18 calm enough to notify them, hey, we're there, but
19 especially if a unit's putting out a backup for a 415
20 man armed with a knife, we don't like to broadcast, you
21 know, a bunch of units en route because it's going to
22 tie up the air.

23 And if he puts out shots fired or needs help or
24 anything like that, it's going to get -- it's going to
25 be tied up.

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1 DETECTIVE RHEAULT: I understand. Okay. How about
2 regarding Code 6? Did you place yourselves Code 6 there
3 and -- and --

4 OFFICER GRIFFIN: Not that I recall. Yeah.

5 DETECTIVE RHEAULT: Uh-huh. And had you ever been
6 to this -- once you arrived there, had you ever been to
7 that location before?

8 OFFICER GRIFFIN: To this --

9 DETECTIVE RHEAULT: Knowingly?

10 OFFICER GRIFFIN: No. No, I never -- not knowingly.

11 DETECTIVE RHEAULT: Ever have any contact with that
12 suspect before?

13 OFFICER GRIFFIN: Not that I'm aware of.

14 DETECTIVE RHEAULT: Uh-huh. Uh-huh. Now, you were
15 indicated you were logged off and you explained why.
16 And that so you waited at the gate for Morales and
17 Rodriguez to take the lead --

18 OFFICER GRIFFIN: Uh-huh.

19 DETECTIVE RHEAULT: -- because you didn't know
20 exactly the location. What would they have access to
21 that would have allowed them to know the location?

22 OFFICER GRIFFIN: They would have access in their
23 MDC, which they could bring up the call which would give
24 them the exact address.

25 DETECTIVE RHEAULT: I see. And the MDC, is that

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1 Mobile Digital Computer or -- or --

2 OFFICER GRIFFIN: Yes. Yeah. It's a -- well, it's
3 the computer that we have. I don't know if they changed
4 it. I think it's MDT or something now, but we also call
5 it the computer in our car, police (UNINTELLIGIBLE)

6 DETECTIVE RHEAULT: Okay. Understood. Okay. Where
7 comments of a radio call could be pulled up or of an
8 incident?

9 OFFICER GRIFFIN: Yes.

10 DETECTIVE RHEAULT: I understand. Okay. Any
11 discussion of -- and it can be well en route to this
12 call or in prior discussions of tactics with your
13 partner that you can tell us about that you've had at --
14 and this can be at any point. How -- let me ask you
15 this. Number one, how long have you been working with
16 your partner, Lopez?

17 OFFICER GRIFFIN: I've been working with Lopez for
18 over three years now. And so we've discussed, I mean,
19 numerous, more than I can -- I can count, different
20 types of situations, different types of tactics on how
21 we would handle different types of situations.

22 We -- so between him and I, I mean, we usually talk
23 about some type of situation almost every day at start
24 of watch, or throughout the shift, we talk about
25 different situations, like kind of how we would handle

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1 they were -- there was a primary unit in the backyard
2 that Sergeant Alferez had -- had come -- to come back
3 out. I believe that he him to go back to meet with the
4 family to continue the investigation.

5 DETECTIVE RHEAULT: Okay. Do you know where they
6 met with the family at?

7 OFFICER GRIFFIN: No, I do not.

8 DETECTIVE RHEAULT: Do you know if the family
9 remembers remained where you initially saw them as you
10 arrived?

11 OFFICER GRIFFIN: I do not know.

12 DETECTIVE RHEAULT: Okay. So when you refer to
13 having containment on the suspect and unable to move so
14 he wouldn't have access to the family members, you don't
15 know where the family members were at that point or if
16 they had been moved farther away or --

17 OFFICER GRIFFIN: Correct. Yeah. The last place I
18 saw what I believed to be the family members was just a
19 couple houses down.

20 DETECTIVE RHEAULT: Okay. But you -- do you --

21 OFFICER GRIFFIN: I don't know if they were moved or
22 anything after that.

23 DETECTIVE RHEAULT: Okay. Or do you know where that
24 unit met with them?

25 OFFICER GRIFFIN: No.

1 DETECTIVE RHEAULT: Okay. Did I get this correct
2 that you, when you arrived, you were assigned as a
3 contact team or --

4 OFFICER GRIFFIN: Yeah. I was -- I was an arrest
5 team so part of the contact team for the suspect.

6 DETECTIVE RHEAULT: Okay. And your specific role
7 was as the arrest team?

8 OFFICER GRIFFIN: Yes.

9 DETECTIVE RHEAULT: I see. Okay. Who else was on
10 the contact team and what was -- what was made up of
11 that team?

12 OFFICER GRIFFIN: It was me and Officer Lopez, and
13 then there was going to be less lethal I heard was
14 assigned. I don't recall exactly to who it was assigned
15 to. And then I know that somebody was also assigned as
16 the cover officer. Again, I don't know specifically. I
17 was, you know, focused on what my job would be.

18 DETECTIVE RHEAULT: Okay. And a cover officer, more
19 specifically what would they be?

20 OFFICER GRIFFIN: The lethal.

21 DETECTIVE RHEAULT: Okay. Do you know what, if
22 anything, they were armed with, the cover officer that
23 was assigned?

24 OFFICER GRIFFIN: No.

25 DETECTIVE RHEAULT: Uh-huh. Okay. Through --

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1 throughout the narrative you provided, you mentioned
2 that the suspect would come to windows, the window
3 closest to the door. What door are we talking about?

4 OFFICER GRIFFIN: The window closest to the door is
5 the front door, so it's a door kind of in the driveway
6 and it's facing eastbound and it's right next to the
7 garage.

8 DETECTIVE RHEAULT: Okay. So the window you're
9 referring to is right next to the front door?

10 OFFICER GRIFFIN: Yes.

11 DETECTIVE RHEAULT: And is the window also facing
12 eastbound?

13 OFFICER GRIFFIN: It's also facing eastbound.

14 DETECTIVE RHEAULT: I see. Okay. And you had
15 mentioned at times you would see him appear briefly.
16 You might see the curtains move. Did you ever see him,
17 you personally see him armed with knives?

18 OFFICER GRIFFIN: No.

19 DETECTIVE RHEAULT: No? Okay. You had mentioned,
20 you know, that you're waiting. And you made some
21 assumptions because -- on -- on the PA that they had
22 mentioned SWAT, that SWAT had been notified and was
23 responding. Do you know if they were actually notified,
24 SWAT?

25 OFFICER GRIFFIN: I -- I do not.

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1 DETECTIVE RHEAULT: Okay. Did you personally make
2 any notifications yourself?

3 OFFICER GRIFFIN: No.

4 DETECTIVE RHEAULT: Okay. And how about MEU? Do
5 you -- do you know if they were notified?

6 OFFICER GRIFFIN: I did hear a broadcast about MEU
7 being en route.

8 DETECTIVE RHEAULT: Okay. I see. You gave an
9 explanation why you unholstered your pistol. And at any
10 point, did you holster your pistol prior to the officer-
11 involved shooting?

12 OFFICER GRIFFIN: Yes.

13 DETECTIVE RHEAULT: Okay. And when was that?

14 OFFICER GRIFFIN: Sergeant Alferez directed all the
15 officers that were, you know, at the scene to either
16 have some -- another officer go get them their helmets
17 or to, you know, get their helmets. So he directed
18 everyone to basically put on their helmets. Officer
19 Lopez went back to our vehicle, grabbed both of our
20 helmets.

21 When he got to us, told him, "Hey, put on your
22 helmet, take my position."

23 So once he put his helmet on, he took my position as
24 a designated cover officer on the right side of the
25 vehicle, and then I reholstered my weapon, put my helmet

1 about on the other side of the vehicle?

2 OFFICER GRIFFIN: I knew -- I could hear that they
3 assigned someone on the other side of the vehicle but I
4 don't know who it was.

5 DETECTIVE RHEAULT: I see. Okay. From your
6 location on the right side of the vehicle, were there
7 additional officers on the left side of the vehicle?
8 I'm sorry. Let me get that established first.

9 OFFICER GRIFFIN: Yes. There were officers on the
10 left side of the vehicle.

11 DETECTIVE RHEAULT: Okay. From your position on the
12 right side of the vehicle, would you have been able to
13 act as a cover officer for those officer on the left
14 side?

15 OFFICER GRIFFIN: Only to the extent of directly in
16 front of the vehicle, but not to cover every -- them on
17 their left -- on the left of them.

18 DETECTIVE RHEAULT: I see. Okay.

19 OFFICER GRIFFIN: Right.

20 DETECTIVE RHEAULT: That -- that -- I understand
21 that. So directly north of you, yes, but not to
22 their -- the west?

23 OFFICER GRIFFIN: Correct.

24 DETECTIVE RHEAULT: I see.

25 ATTORNEY WINSLOW: And you also had a view down the

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1 driveway where you could see a door off of the driveway?

2 OFFICER GRIFFIN: Yes, the front door.

3 DETECTIVE RHEAULT: Did you personally have any
4 communications with the suspect?

5 OFFICER GRIFFIN: No.

6 DETECTIVE RHEAULT: And did you personally give any
7 orders to the suspect even immediately prior to the OIS
8 as he's -- any orders or instructions or commands?

9 OFFICER GRIFFIN: Not that I recall.

10 ATTORNEY WINSLOW: And you mean as he was running
11 towards him?

12 DETECTIVE RHEAULT: Yes. And I'm sorry if, yeah, I
13 wasn't specific enough. Exactly. When he was running
14 towards him. Okay.

15 OFFICER GRIFFIN: To elaborate on that, at the point
16 on which, you know, I -- he was coming at me, I -- at
17 the speed of which I didn't think that I had any time to
18 give him any commands.

19 DETECTIVE RHEAULT: I understand.

20 ATTORNEY WINSLOW: Had he listened to any commands
21 or suggestions whatsoever the whole time you were there?

22 OFFICER GRIFFIN: No. I mean, not with any of our
23 requests to -- to exit or even to just show himself at
24 the window or, you know, to continue to move to the
25 window so we could communicate with him. So not that

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1 I'm aware of him listening to any -- any commands.

2 DETECTIVE RHEAULT: You had mentioned at one point a
3 team moved forward and got a man and woman out of the
4 garage.

5 OFFICER GRIFFIN: Yes.

6 DETECTIVE RHEAULT: Okay. And then -- and that
7 point, you believed the suspect was the only one in the
8 house?

9 OFFICER GRIFFIN: Yes.

10 DETECTIVE RHEAULT: Okay. When the OIS ultimately
11 occurred, did you -- did you have any opinion at the
12 time if the house -- the house directly behind the
13 suspect was occupied? And I'm referring to I guess the
14 suspect's house that he's running -- now running out of.

15 OFFICER GRIFFIN: Yeah. After when the OIS
16 occurred, I -- my understanding was that there was no
17 one else inside the house.

18 DETECTIVE RHEAULT: I see. A couple of questions
19 related to when you fired your weapon. Did you observe
20 anyone else in the background of the suspect?

21 OFFICER GRIFFIN: No.

22 DETECTIVE RHEAULT: Okay. How about in your
23 foreground? Any -- any -- anyone -- and the foreground
24 would be between you and the suspect. Any -- any -- any
25 other personnel or anything between you and the suspect?

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1 knife?

2 OFFICER GRIFFIN: No.

3 DETECTIVE RHEAULT: Okay. And I'm sorry. I believe
4 that you mentioned that -- that -- you mentioned he was
5 armed with a knife and then two knives. Is that
6 correct?

7 OFFICER GRIFFIN: Yes.

8 DETECTIVE RHEAULT: Okay. Okay. In yesterday's
9 interview, you mentioned hearing those broadcasts over
10 the air that he's -- he was exiting, he had the two
11 knives. And then very quickly after that, you heard
12 that less lethal was being deployed on the two-side, the
13 side of the house. Do you recall that?

14 OFFICER GRIFFIN: Yes.

15 DETECTIVE RHEAULT: Then on the one-two corner, you
16 observed the black gate crash open and you indicated
17 that you hear the officer next to you, that Officer
18 Gutierrez who you've identified now was firing the
19 beanbag. Can you tell me in relation to the suspect
20 where the suspect's at when you're hearing that beanbag
21 being fired?

22 OFFICER GRIFFIN: In relation to me or just in
23 the -- at the property?

24 DETECTIVE RHEAULT: At the property, because, you
25 know, you've given us reference points in yesterday's

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1 interview --

2 OFFICER GRIFFIN: Okay.

3 DETECTIVE RHEAULT: -- when you talked about the
4 one-two corner with the gate, and then you also talked
5 about a vehicle and how he came to the bumper closest to
6 you before he turned southeast in your direction as well
7 as the other officer's direction.

8 OFFICER GRIFFIN: Okay. So the first round that I

9 know, the first beanbag round that I know that I fired
10 was just after he exited the gate, and it was in the

11 direction of where that -- that gate was. Then I -- I
12 think the next round that I saw was as he was getting to
13 the eastern bumper of that car that was closest to me.

14 And I don't recall any other rounds.

15 DETECTIVE RHEAULT: Okay. How many rounds total do
16 you recall that -- that were fired by the beanbag?

17 OFFICER GRIFFIN: I recall those -- those two. I
18 don't know if any other ones were fired.

19 DETECTIVE RHEAULT: Do you know if the rounds
20 impacted him?

21 OFFICER GRIFFIN: I do not know.

22 DETECTIVE RHEAULT: Okay. Was there -- okay. Let
23 me break that down too. Did you -- did you see any of
24 the rounds hit him?

25 OFFICER GRIFFIN: Not that I'm aware of. No. I --

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1 I did not see them specifically (UNINTELLIGIBLE)

2 DETECTIVE RHEAULT: Did you see any affect or in
3 appearance that -- any indications he might have been
4 hit by them or that he was -- this is becoming compound.
5 I apologize.

6 OFFICER GRIFFIN: It's okay.

7 DETECTIVE RHEAULT: In relation to hearing the
8 beanbag being fired, did you see his -- you already said
9 he was running. And I think you said yesterday it was
10 like a linebacker --

11 OFFICER GRIFFIN: Uh-huh.

12 DETECTIVE RHEAULT: -- and he's running. In
13 relation to hearing the beanbag fired, did you see his
14 progress being slowed or altered in any manner?

15 OFFICER GRIFFIN: No.

16 DETECTIVE RHEAULT: Okay. You indicated yesterday
17 you observed a knife in his hand and didn't recall which
18 hand. After having a night of sleep after being up for
19 an extended period of time, do you now recollect what
20 hand that you observed the knife in?

21 OFFICER GRIFFIN: I believe it was his right hand.

22 DETECTIVE RHEAULT: It -- you believe his right
23 hand?

24 OFFICER GRIFFIN: Yeah.

25 DETECTIVE RHEAULT: Okay. You indicated you

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1 observed the knife pointed in your direction?

2 OFFICER GRIFFIN: Yes.

3 DETECTIVE RHEAULT: Okay. Can you describe that
4 further? Like are we talking about the blade of the
5 knife pointed in your direction, the point, or -- can
6 you describe it for me?

7 OFFICER GRIFFIN: It was both. So originally, when
8 he had his hands kind of in front of him, you know, the
9 -- the blade with the -- the blade was pointed up, you
10 know, towards the sky I would even say. And, you know

11 -

12 DETECTIVE RHEAULT: Is this the blade or the point?

13 OFFICER GRIFFIN: The point. The point was blade
14 pointed up, and so then the blade, I guess the sharp,
15 you know, long side would be towards us. But then at
16 one point, the pointy end, you know, whatever you call
17 it --

18 DETECTIVE RHEAULT: Uh-huh.

19 OFFICER GRIFFIN: -- was more pointed in towards my
20 direction.

21 DETECTIVE RHEAULT: Okay.

22 OFFICER GRIFFIN: (UNINTELLIGIBLE)

23 DETECTIVE RHEAULT: And when you observed it more
24 pointed in your direction, is -- where in relation to
25 you firing is that occurring? Is it, you know, between

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1 which shots or is it prior to firing? Can you -- can
2 you describe when the points --

3 OFFICER GRIFFIN: I don't recall exactly, you know,
4 you know, in (UNINTELLIGIBLE) which rounds I was firing,
5 but it was -- I know it was from when I was firing my
6 rounds at -- at him.

7 DETECTIVE RHEAULT: We talked about your four shots.
8 And yesterday, I asked you prior to your second shot,
9 you know, you indicated he was still moving towards you
10 and the other officers and you observed him with a knife
11 at that time. Where were you aiming for that second
12 shot, or you indicated your first shot was center --

13 aiming for the center body mass. Did your aiming point
14 change, I guess, and can you tell me that?

15 OFFICER GRIFFIN: No. My -- all of my shots were
16 heading for his torso, center mass.

17 DETECTIVE RHEAULT: Okay. Prior to firing your
18 third shot, okay, and let me put it and frame it again.
19 You indicated when you fired your fourth shot, he was
20 leaning very far forward so you couldn't have --

21 visually see his hands. But prior to your third shot,
22 could -- could you see the knife in his hand?

23 OFFICER GRIFFIN: Not that I recall.

24 DETECTIVE RHEAULT: Okay.

25 OFFICER GRIFFIN: It was the -- it was the same with

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1 the fourth shot. It was kind of leaned to the point
2 where I couldn't see exactly what was in his hand.

3 DETECTIVE RHEAULT: Okay. In what direction was he
4 leaning?

5 OFFICER GRIFFIN: I believe towards me.

6 DETECTIVE RHEAULT: Okay. Was he still running or -
7 -- or was he -- you last described him as running. Is he
8 still running at the time of the third shot?

9 OFFICER GRIFFIN: I believe -- I thought so, yes. I
10 believe the --

11 DETECTIVE RHEAULT: And you -- for the first and
12 second shot, you described his hand position.

13 OFFICER GRIFFIN: Uh-huh.

14 DETECTIVE RHEAULT: And I believe you described it
15 as, you know, arms bent and -- and I -- we gave like a
16 specific angle where the fists were in his hands. With
17 the understanding you can't see his actual hands because
18 he's leaning forward, has his -- from what you can see
19 from his shoulders, his arms and elbows, if you could
20 see those, has -- has that hand position changed?

21 OFFICER GRIFFIN: No.

22 DETECTIVE RHEAULT: No? Okay. What -- and, could
23 you -- could you see? What could you see? He's leaned
24 forward. What could you see?

25 OFFICER GRIFFIN: Just that it was -- you know, his

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1 -- he still had his, you know, arms close to his body
2 and they're, you know, tight to him.

3 DETECTIVE RHEAULT: Okay. Had you seen -- up to
4 that point, had you seen the suspect drop, throw,
5 discard anything?

6 OFFICER GRIFFIN: No.

7 DETECTIVE RHEAULT: Okay. And did you -- did you
8 have a belief of where the knife was when you fired your
9 third shot?

10 OFFICER GRIFFIN: I believe he still had it on him.

11 DETECTIVE RHEAULT: Oh.

12 OFFICER GRIFFIN: It was in his hand.

13 DETECTIVE RHEAULT: In his hand?

14 OFFICER GRIFFIN: Yeah.

15 DETECTIVE RHEAULT: I see. Okay. And you described
16 him running towards you. At any point, did you see any
17 transfer of anything between his hands?

18 OFFICER GRIFFIN: No.

19 DETECTIVE RHEAULT: No? Okay. All right. Are you
20 -- were you aware of anyone else firing? You mentioned
21 the beanbag. I'm talking about lethal. Prior to or
22 while you're firing, are you aware of anyone else
23 firing?

24 OFFICER GRIFFIN: Prior to my -- my rounds that I
25 fired?

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1 DETECTIVE RHEAULT: Yes.

2 OFFICER GRIFFIN: Not -- not prior to my rounds.

3 No.

4 DETECTIVE RHEAULT: Okay. And when did you be --
5 did you become aware of someone firing?

6 OFFICER GRIFFIN: Yeah. Before my rounds or --

7 DETECTIVE RHEAULT: At any point. I know an officer
8 fired -- another officer fired a round either at

9 (UNINTELLIGIBLE) was fired and, you know, either my last
10 round or -- or just after I fired my last round.

11 DETECTIVE RHEAULT: Okay. So just after you fired
12 your last round, which would have been your fourth round
13 --

14 OFFICER GRIFFIN: Uh-huh.

15 DETECTIVE RHEAULT: -- you were aware of another
16 officer who had fired?

17 OFFICER GRIFFIN: Correct.

18 DETECTIVE RHEAULT: Okay. Is that when you first
19 became aware that another officer was potentially
20 firing?

21 OFFICER GRIFFIN: Yes.

22 DETECTIVE RHEAULT: I see. Did the suspect say
23 anything as he's running towards you?

24 OFFICER GRIFFIN: Not that I recall.

25 DETECTIVE RHEAULT: Okay. Or upon being struck by

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1 gunfire, did he -- did he say anything?

2 OFFICER GRIFFIN: No.

3 DETECTIVE RHEAULT: I do apologize if this was
4 covered yesterday, but as you're firing, was your
5 position static or were you moving?

6 OFFICER GRIFFIN: I was moving backwards.

7 DETECTIVE RHEAULT: I do recall that now. Thank
8 you. At some point, were you approached by a supervisor
9 and identified as having used lethal force?

10 OFFICER GRIFFIN: Yes.

11 DETECTIVE RHEAULT: Okay. Who? What supervisor was
12 that?

13 OFFICER GRIFFIN: Sergeant Alferez.

14 DETECTIVE RHEAULT: Alferez?

15 OFFICER GRIFFIN: Uh-huh.

16 DETECTIVE RHEAULT: Did he give you any instructions
17 or --

18 OFFICER GRIFFIN: Yeah, to separate from -- or to
19 back away from the scene and then not talk about
20 anything that happened until -- until you guys got here
21 and stand by until a supervisor could come take me and
22 separate me from everyone.

23 DETECTIVE RHEAULT: Okay. And then did you follow
24 that order?

25 OFFICER GRIFFIN: Yes.

1 DETECTIVE RHEAULT: Okay. Were you transported to
2 the station after that?

3 OFFICER GRIFFIN: Yes.

4 DETECTIVE RHEAULT: By who?

5 OFFICER GRIFFIN: Sergeant Wells. Wells. Sergeant
6 Wells.

7 DETECTIVE RHEAULT: Wells?

8 OFFICER GRIFFIN: Uh-huh.

9 DETECTIVE RHEAULT: Okay. And were you monitored
10 here at the station?

11 OFFICER GRIFFIN: Yes.

12 DETECTIVE RHEAULT: By who?

13 OFFICER GRIFFIN: Sergeant Wells as well.

14 DETECTIVE RHEAULT: Okay. And then transported back
15 for a walkthrough?

16 OFFICER GRIFFIN: Yes.

17 DETECTIVE RHEAULT: Okay. And who was that?

18 OFFICER GRIFFIN: Sergeant Wells.

19 DETECTIVE RHEAULT: All right.

20 OFFICER GRIFFIN: I -- briefly before Sergeant Wells
21 got there, though, Sergeant Merida did come and
22 monitored me --

23 DETECTIVE RHEAULT: Uh-huh.

24 OFFICER GRIFFIN: -- until Sergeant Wells came to
25 monitor me. So Sergeant -- Sergeant Merida originally

1 So after the OIS occurred, you saw that the suspect was
2 injured, do you know what happened with the suspect at
3 that point?

4 OFFICER GRIFFIN: Yes. The Fire Department, who I
5 know had already been requested, was staged down at the
6 CP responded. They immediately checked his pulse.

7 Couldn't find one. And then so they -- they took his --
8 they ordered my -- Officer Lopez to take the handcuffs
9 off him and then put him onto a gurney so he could be
10 transported.

11 DETECTIVE FULLER: And did they -- as far as you
12 know, did they transport him?

13 OFFICER GRIFFIN: Yes.

14 DETECTIVE FULLER: Do you know where?

15 OFFICER GRIFFIN: I do not know where.

16 DETECTIVE FULLER: Okay. And before being ordered
17 not to talk about it, did you have any conversations
18 about the incident? So sort of after the OIS but before
19 being ordered not to talk about it?

20 DETECTIVE RHEALT: In -- in -- and characterize his
21 conversations, but any -- any -- it could be tactical
22 conversation back and forth, like the location of
23 evidence, directing how to approach a suspect, and what
24 -- potentially, any tactical communications or any
25 communications you have between the officers before

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1 being separated?

2 OFFICER GRIFFIN: Yeah. So the conversation we had
3 after the OIS, we -- we -- we were speaking about where
4 the knife possible was in relation to the suspect. We
5 wanted to know where it was because we didn't want --
6 didn't want to go hands on with him without knowing
7 exactly where it was. And then we also spoke about, you
8 know, the best way to approach, and then also, some
9 crossfire issues that came up during while we were
10 putting handcuffs on him.

11 And then shortly after that, we briefly spoke on we
12 still didn't know exactly where the knife was.

13 DETECTIVE FULLER: Did that confuse you that you
14 didn't see the knife?

15 OFFICER GRIFFIN: Yes.

16 DETECTIVE FULLER: And why is that?

17 OFFICER GRIFFIN: Because I -- I knew that I had
18 seen the knife in his hand.

19 ATTORNEY WINSLOW: (UNINTELLIGIBLE)

20 DETECTIVE RHEAULT: (UNINTELLIGIBLE)

21 ATTORNEY WINSLOW: Yeah (UNINTELLIGIBLE)

22 DETECTIVE RHEAULT: This is Detective Rheault. When
23 I was watching the body worn video, post OIS --

24 OFFICER GRIFFIN: Uh-huh.

25 DETECTIVE RHEAULT: -- when there's tactical, or I'm

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1 -- I'm not going to phrase it as tactical. When there's
2 comments being made back and forth between officers,
3 including you and other officers, I heard a reference to
4 like 100 percent. Do you recall hearing that yourself?

5 OFFICER GRIFFIN: Yeah. So that -- I -- I believe
6 that was me saying a hundred percent. And it was in
7 regards to because we hadn't at that point located a
8 knife. And then I don't -- I don't remember exactly

9 what was said to me but it was, you know, in regards to
10 there being a knife, and I was like, yeah, a hundred
11 percent because I knew a hundred percent that I saw it
12 before the OIS when at this point, we still hadn't seen
13 it, so that was what it was in regards to.

14 DETECTIVE RHEAULT: Someone was inquiring if -- if a
15 knife was actually present, and you said, "A hundred
16 percent"?

17 OFFICER GRIFFIN: Not that it -- it -- it was
18 present but that it was seen.

19 DETECTIVE RHEAULT: Oh, okay. And let me --

20 OFFICER GRIFFIN: Okay.

21 DETECTIVE RHEAULT: Okay. Can you clarify that it
22 was seen? What do you mean by it was seen?

23 ATTORNEY WINSLOW: At what point? In the house or
24 the driveway right before the -- immediately before the
25 OIS?

1 don't have any other questions. Is there anything that
2 we have not asked you that you feel is important for us
3 to know as part of this incident?

4 OFFICER GRIFFIN: No. I know we touched on the --
5 the -- like I spoke about my military training as far as
6 with knives. And I just wanted to -- I don't think I
7 touched on it. The -- based off of his speed and, you
8 know, how close he was to me, I -- I knew I didn't have
9 any time to give him any commands and that I, you know,
10 I had to -- to, you know, use my pistol and fire rounds
11 at him to stop him because I know he was only a split
12 second away from getting to -- to me and the officer
13 with the beanbag.

14 And I, you know, I've seen what happens, obviously,
15 in this line of work, to multiple people that have been
16 stabbed, how, you know, you -- you know, people can be
17 killed off of, you know, getting stabbed just one time
18 and how, you know, how easy it is to be -- to be
19 seriously injured or killed.

20 And so, you know, based off of all that and, you
21 know, my -- my experience, you know, I was definitely
22 afraid that if I didn't use, you know, any type of --
23 any type of lethal force, you know, that as soon as I
24 possibly could, he was going to get to me and the
25 officer next to me and be able to seriously hurt or kill

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1 us and I was definitely afraid for -- for that to
2 happen.

3 DETECTIVE RHEAULT: I see. Okay. Thank you. The
4 time now is 1812 hours, and that will conclude our
5 interview.

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8 MURILLO V. COLA

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10 CV22-03188 DMG (SKx)

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